

House File 661

H-1094

1 Amend House File 661 as follows:

2 1. Page 1, by striking lines 1 through 10 and inserting:

3 <Section 1. Section 137D.1, subsection 4, Code 2023, is
4 amended to read as follows:

5 4. a. "Homemade food item" means a food that is produced
6 and, if packaged, packaged at a home food processing
7 establishment.

8 b. "Homemade food item" includes ~~food~~ all of the following:

9 (1) Food that is not time/temperature control for safety
10 food, but does not include such food if produced and sold under
11 section 137F.20.

12 (2) Made-to-order food that is all of the following:

13 (a) Regularly prepared, promptly served, delivered, or
14 otherwise provided to a consumer immediately upon order.

15 (b) Intended for immediate consumption.

16 c. "Homemade food item" does not include unpasteurized fruit
17 or vegetable juice, raw sprout seeds, foods containing game
18 animals, fish or shellfish, alcoholic beverages, bottled water,
19 packaged ice, consumable hemp products, food that will be
20 further processed by a food processing plant, time/temperature
21 control for safety food packaged using a reduced oxygen
22 packaging method, milk or milk products regulated under chapter
23 192 or 194, and meat, meat food products, poultry, or poultry
24 products regulated under chapter 189A, except for any of the
25 following products when sold directly to the end consumer:

26 ~~a.~~ (1) Poultry, poultry byproduct, or poultry food product
27 if the producer raised the poultry pursuant to the exemption
28 set forth in 9 C.F.R. §381.10(c)(1) limiting the producer to
29 slaughtering not more than one thousand poultry during the
30 calendar year.

31 ~~b.~~ (2) Poultry, poultry byproduct, or poultry food product
32 if the poultry is from an inspected source exempted pursuant
33 to 9 C.F.R. §381.10(d).

34 ~~c.~~ (3) Meat, meat byproduct, or meat food product if the
35 meat is from an inspected source exempted pursuant to 9 C.F.R.

1 §303.1(d).

2 Sec. _____. Section 137F.6, subsection 1, paragraphs c, g, and
3 h, Code 2023, are amended to read as follows:

4 c. For a temporary food establishment for multiple
5 nonconcurrent events during a calendar year, one annual
6 license fee of two hundred dollars for each establishment on
7 a ~~countywide~~ statewide basis.

8 g. (1) For a food processing plant, the annual license fee
9 shall correspond to the annual gross food and beverage sales
10 of the food processing plant, ~~as follows~~. A food processing
11 plant's annual gross sales shall not correspond to sales of an
12 unprocessed commodity.

13 (2) The annual license fee for an initial license shall be
14 calculated based on the food processing plant's projected gross
15 annual sales. Otherwise, the annual license fee shall be based
16 on the food processing plant's prior annual sales.

17 (3) The amount of the annual license fee shall be as
18 follows:

19 (a) For annual gross sales of less than fifty thousand
20 dollars, seventy-five dollars.

21 ~~(1)~~ (b) Annual For annual gross sales of at least fifty
22 thousand dollars but less than two hundred thousand dollars,
23 one hundred fifty dollars.

24 ~~(2)~~ (c) Annual For annual gross sales of at least two
25 hundred thousand dollars but less than two million dollars,
26 three hundred dollars.

27 ~~(3)~~ (d) Annual For annual gross sales of two million
28 dollars or more, five hundred dollars.

29 h. For a farmers market where time/temperature control for
30 safety food is sold or distributed, one annual license fee
31 of one hundred fifty dollars for each vendor on a ~~countywide~~
32 statewide basis.>

33 2. By renumbering as necessary.

INGELS of Fayette